

MINUTE ITEM

2. APPLICATION FOR LIFE-OF-STRUCTURE PERMIT FOR AN AQUEDUCT CROSSING TIDE AND SUBMERGED LANDS OF SAN JOAQUIN RIVER DEEP WATER CHANNEL, APPROXIMATELY 2.5 MILES NORTHWEST OF THE PORT OF STOCKTON, SAN JOAQUIN COUNTY, EAST BAY MUNICIPAL UTILITY DISTRICT - W.O. 4074, P.R.C. 2778.9.

After consideration of Calendar Item 14 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

PURSUANT TO THE PROVISIONS OF PUBLIC UTILITIES CODE SECTION 12808, THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE A LIFE-OF-STRUCTURE PERMIT TO THE EAST BAY MUNICIPAL UTILITY DISTRICT FOR THE CONSTRUCTION, MAINTENANCE AND USE OF TWO 67-INCH AND ONE 87-INCH PIPES UNDER THE FOLLOWING-DESCRIBED PARCEL OF TIDE AND SUBMERGED LANDS OF SAN JOAQUIN RIVER DEEP WATER CHANNEL, SITUATE IN SAN JOAQUIN COUNTY:

A STRIP OF LAND OF THE UNIFORM WIDTH OF 250 FEET AT RIGHT ANGLE MEASUREMENT LYING NORTHERLY OF AND CONTIGUOUS TO THE CENTER LINE OF THE EAST BAY MUNICIPAL UTILITY DISTRICT AQUEDUCT WHICH SAID CENTER LINE IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERN CORNER OF THAT CERTAIN 9.693 ACRE PARCEL OF LAND AS DESCRIBED IN THE DEED FROM J. A. AGGLER, ET UX, TO EAST BAY MUNICIPAL UTILITY DISTRICT DATED MAY 27, 1926 AND RECORDED JUNE 23, 1926 IN VOLUME 159 OF OFFICIAL RECORDS AT PAGE 59, SAN JOAQUIN COUNTY RECORDS; THENCE ALONG THE EASTERN LINE OF LAST SAID PARCEL OF LAND NORTH $32^{\circ} 59' 45''$ WEST 190.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH $56^{\circ} 46' 15''$ EAST 275 FEET, MORE OR LESS, TO A POINT ON THE WESTERN LINE OF THAT CERTAIN 7.809 ACRE PARCEL OF LAND DESCRIBED IN THE DEED FROM C. H. S. MARTIN DATED NOVEMBER 5, 1926 AND RECORDED NOVEMBER 23, 1926 IN VOL. 169 OF OFFICIAL RECORDS AT PAGE 367, SAN JOAQUIN COUNTY RECORDS.

THE EXTERIOR BOUNDARY LINES OF SAID STRIP OF LAND SHALL BE LENGTHENED OR SHORTENED AT THEIR EXTREMITIES SO AS TO FORM A CONTINUOUS STRIP OF LAND FROM THE WEST BANK OF THE SAN JOAQUIN DEEP WATER CHANNEL TO THE EASTERN BANK OF SAID CHANNEL.

NO BOND IS TO BE REQUIRED. THE CONSIDERATION FOR THE ISSUANCE OF THE EASEMENT IS TO BE THE PUBLIC BENEFIT.

Attachment
Calendar Item 14 (2 pages)

CALENDAR ITEM

14.

APPLICATION FOR LIFE-OF-STRUCTURE PERMIT FOR AN AQUEDUCT CROSSING TIDE AND SUBMERGED LANDS OF SAN JOAQUIN RIVER DEEP WATER CHANNEL, APPROXIMATELY 2.5 MILES NORTHWEST OF THE PORT OF STOCKTON, SAN JOAQUIN COUNTY, EAST BAY MUNICIPAL UTILITY DISTRICT - W.O. 4074.

An application has been received from the East Bay Municipal Utility District for approval of the laying of two 67-inch I.D. and one 87-inch I.D. pipes in the bed of San Joaquin River Deep Water Channel, approximately 2.5 miles northwest of the Port of Stockton, San Joaquin County (see Exhibit "A"). The top of the pipes under the deep-water channel would be 47 feet below mean lower low water. Temporary sheet steel piling on each bank would extend 130 feet out from the low water line, with the piling installation on one bank to be completed and removed before start of work on the opposite bank. The easement area is 250 feet in width and 275 feet, more or less, in length, comprising approximately 1.58 acres.

The East Bay Municipal Utility District services numerous communities in the East Bay area, including Oakland, Berkeley, Alameda, Richmond, Albany, San Leandro, etc., as well as the military and harbor installations on the east side of San Francisco Bay. Public Utilities Code Section 12808 reads as follows: "A district may construct works across or along any street or public highway, or over any of the lands which are the property of the State, and it shall have the same rights and privileges appertaining thereto as are granted to municipalities within the State. The district shall restore any such street or highway to its former state as near as may be, and in compliance with local ordinances, and shall not use it in a manner to unnecessarily impair its usefulness. A district may also construct its works across any stream or watercourse."

IT IS RECOMMENDED THAT, PURSUANT TO THE PROVISIONS OF PUBLIC UTILITIES CODE SECTION 12808, THE EXECUTIVE OFFICER BE AUTHORIZED TO ISSUE A LIFE-OF-STRUCTURE PERMIT TO THE EAST BAY MUNICIPAL UTILITY DISTRICT FOR THE CONSTRUCTION, MAINTENANCE AND USE OF TWO 67-INCH AND ONE 87-INCH PIPES UNDER THE FOLLOWING-DESCRIBED PARCEL OF TIDE AND SUBMERGED LANDS OF SAN JOAQUIN RIVER DEEP WATER CHANNEL, SITUATE IN SAN JOAQUIN COUNTY:

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CALENDAR ITEM 14. (CONTD.)

45" WEST 190.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 56° 46' 15" EAST 275 FEET, MORE OR LESS, TO A POINT ON THE WESTERN LINE OF THAT CERTAIN 7.809 ACRE PARCEL OF LAND DESCRIBED IN THE DEED FROM C. H. S. MARTIN DATED NOVEMBER 5, 1926 AND RECORDED NOVEMBER 23, 1926 IN VOL. 169 OF OFFICIAL RECORDS AT PAGE 367, SAN JOAQUIN COUNTY RECORDS.

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NO BOND IS TO BE REQUIRED. THE CONSIDERATION FOR THE ISSUANCE OF THE EASEMENT IS TO BE THE PUBLIC BENEFIT.